

**In the United States District Court  
for the Southern District of Georgia  
Savannah Division**

PABLO RANGEL-RUBIO,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

4:22-cr-30

**ORDER**

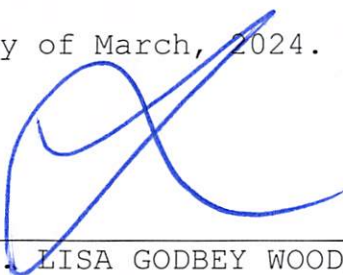
Movant Pablo Rangel-Rubio ("Rangel-Rubio") was charged by information for and pleaded guilty to: conspiracy to conceal, harbor, and shield illegal aliens, in violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I); conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h); three counts of money laundering, in violation of 18 U.S.C. § 1957(a); and aiding and abetting the retaliation against a witness, in violation of 18 U.S.C. §§ 2 and 1513(a)(1)(A). Dkt. Nos. 1, 17. I sentenced Rangel-Rubio to a total term of 584 months' imprisonment. Dkt. No. 33.

Rangel-Rubio filed a notice of appeal and a motion for leave to appeal *in forma pauperis* on August 2, 2023, and I granted Rangel-Rubio's motion on August 18, 2023. Dkt. Nos. 35, 37, 43. Rangel-Rubio also filed a motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 on August 10, 2023. Dkt. No. 41. I dismissed without prejudice Rangel-Rubio's § 2255 motion on

January 5, 2024, and judgment was entered on January 8, 2024, as Rangel-Rubio's appeal was pending. United States v. Rangel-Rubio, No. 23-12530 (11th Cir. Aug. 2, 2023). Dkt. Nos. 48, 49.

Rangel-Rubio has now filed a Motion for Evidentiary Hearing and Motion to Reinstate his § 2255 Motion. Dkt. No. 50. Rangel-Rubio's appeal is still pending in the Eleventh Circuit Court of Appeals. Rangel-Rubio, No. 23-12530 (last dkt. entry dated Feb. 29, 2024, showing appeal still pending). In addition, Rangel-Rubio raised the same arguments in his motion to voluntarily dismiss his appeal before the Eleventh Circuit, and that court is not taking any action on the motion because it is procedurally deficient. Id. at ECF Nos. 11, 12. I have already informed Rangel-Rubio this Court cannot take any action regarding his criminal proceedings, except in aid of his appeal, while his appeal is pending. Dkt. No. at 2 (quoting United States v. Diveroli, 729 F.3d 1339, 1341 (11th Cir. 2013)). Nothing presented in the instant Motion would aid Rangel-Rubio's appeal. For these reasons, the Court **DENIES** Rangel-Rubio's Motion.

SO ORDERED, this 8 day of March, 2024.



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HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA